



Discussion: This Policy governs fresh pursuits, including vehicle, bicycle and foot pursuits. The safety of all persons (i.e., uninvolved/innocent citizens, violators, and/or individuals involved in the pursuit) is of paramount importance.

conditions, traffic conditions, or pursuit vehicle characteristics.

.6 No deputy sheriff will engage in a vehicle pursuit if the deputy believes the danger to himself/herself or the public outweighs the necessity for immediate apprehension of the suspect.

General - Vehicle Pursuits

.1 All pursuits shall be conducted in strict accordance with statutes, rules of the road, and policies and procedures of the SJSO. [41.2.2 d]

.7 Agency personnel will be held strictly accountable for the results of any actions displaying a reckless disregard for the safety of innocent persons or themselves.

.2 Members shall use both audible and visual emergency warning equipment when engaged in vehicle pursuits. [41.2.2 d]

.8 Comprehensive training in pursuit driving practices will be done annually (See annual in-service publication for more details).

.3 All M/As operating agency vehicles shall exercise regard for the safety of all persons. No assignment shall be of such importance, and no task shall be expedited with such emphasis, that the principles of safety become secondary. There are no tasks so important as to justify the reckless disregard for the safety of the general public.

.9 ONLY certified Law Enforcement (LE) members will engage in fresh pursuit in marked or unmarked vehicles. [41.2.2 d]

Justification for Fresh Pursuits[41.2.2 a]

.4 All deputies involved in a pursuit shall use their best judgement, training and officer safety skills while engaged in a pursuit.

.11 Fresh pursuit is justified ONLY when the deputy knows or has reasonable grounds to believe the suspect presents a clear and immediate threat to the safety of themselves or others and has committed, or is attempting to commit a serious felony.

.5 A vehicle pursuit shall not be initiated or continued when the safety of the deputy and/or the public is compromised due to weather, road

.12 The SJSO's policy is to only pursue serious felony suspects who present a threat to themselves or others. Listed below are categories of situations that can justify Fresh

Pursuit provided all other criteria is met as outlined herein.

Felonies

Serious Felony: Believed or known to be armed; believed or known to have committed, or attempted to commit a violent felony; or in the act of a violent felony.

- A suspect may be pursued to any extent with the approval of the Deputy Sector Commander (DSC). Primary unit pursuits stop no more than ten (10) miles outside the county. The DSC must authorize the primary unit to continue the pursuit beyond the ten (10) mile limit.
- If there is not a DSC on duty at the time, the Quadrant Shift Leader QSL shall notify the on-call DSC when practical and advise of the pursuit.
- A suspect may be pursued into his/her residence.

.13 Felony: (Possibly armed; possibly committed a violent felony.)

- A suspect may be pursued to any extent with the approval of the QSL on serious felonies. The pursuit will be consistent with the section of this Policy governing interjurisdictional pursuits. Primary unit pursuits stop no more than ten (10) miles outside the county.
- If there is not a DSC on duty at the time, the QSL shall notify the on-call DSC when practical and advise of the pursuit.
- A suspect WILL NOT be pursued into his/her residence, unless PC exists that he/she has committed,

or has attempted to commit a violent felony.

- A suspect MAY be pursued into the residence of another person if PC exists that he/she has committed, or has attempted to commit a violent felony AND the deputy has the suspect under "continuous observation" during the pursuit.

.14 All pursuits by the Agency will cease at the state line.

.15 A suspect WILL NOT be pursued for misdemeanors, county ordinance violations, or traffic infractions beyond the initial attempt to stop them.

Initiating / Primary Unit Responsibility

[41.2.2, b]

.17 The decision to initiate pursuit rests with the individual deputy. The deputy initiating the pursuit, in all cases, shall notify the Communications (COMM) as soon as possible that a pursuit is underway and provide the following information:

- Radio Identification (ID) number
- Location, speed, direction of travel (with continual updates)
- Vehicle description & tag number
- The specific reason for the pursuit, including known law violations
- Number of occupants
- Traffic & weather conditions

.18 Failure to provide the above information may be cause for the QSL to order termination of the pursuit.

.19 The primary unit shall be in charge, and bears operational responsibility for the pursuit unless relieved by a supervisor.

.20 The authority of the primary unit pertains to the immediate field operation and is always subordinate to the **QSL** command.

Assisting Unit Responsibility^[41.2.2, c]

.21 Help will be coordinated by the COMM under the direction of the SSL and the DSC. The SSL and primary unit will be advised of the identity and location of units who can assist, if needed.

.22 The active pursuit will involve not more than two (2) units: the primary unit and one (1) secondary unit. If more assistance is requested, the amount will be determined by:

- Nature of offense
- Number of suspects
- Whether the participating units have more than one deputy per unit
- Other clear and articulated facts that would warrant the increased hazard

.23 Only the DSC or SSL may authorize more than two (2) units to be in active pursuit. All other units will remain aware of the direction and progress of the pursuit, but shall not actively participate, and shall not respond or parallel the pursuit on adjacent streets unless authorized to do so.

.24 The secondary pursuit unit, upon joining the pursuit, shall immediately notify the COMM of its identity, and

assume radio communications responsibility, allowing the primary unit to devote full attention to driving.

.25 The secondary pursuit unit will keep a safe distance behind the primary unit, but be close enough to render backup assistance if needed.

.26 Assisting units shall, at all costs, avoid crossing the path of an oncoming high-speed pursuit vehicle.

.27 If the primary unit becomes disabled, the secondary pursuit unit will become the primary unit. The COMM will advise the **QSL** and the DSC. The **QSL** will advise that a secondary pursuit unit is needed, and the next unit to join the pursuit will be designated the secondary pursuit unit.

COMM Responsibility ^[41.2.2, e]

.28 The COMM has a vital role in the coordination, communication and recording of events as reported. COMM responsibilities include the duties listed below.

- Receive and record all incoming pursuit information.
- Immediately notify the DSC and the **QSL** when a pursuit is initiated.
- Establish urgent traffic clearing a radio channel of any needless traffic.
- Advise all other units that a pursuit is in progress, giving all relevant information.
- Perform motor vehicle and record checks.
- Control all radio communications

during the pursuit.

- Coordinate assistance under the direction of the [QSL] and the DSC.
- Continue to monitor the pursuit until it has been terminated.

Supervisory Responsibility [41.2.2, f]
.29 DSC: The DSC shall assume overall command and exercise control through the [QSL].

.30 [QSL]: Upon being informed of the pursuit, the [QSL] shall confirm the following:

- No more than the required or necessary units are involved in the pursuit.
- Aerial assistance, if necessary, has been requested.
- Proper radio frequency is being used.
- Affected allied agencies are being notified.

.31 The [QSL] will continue to direct the pursuit, and approve or order alternative tactics, such as the use of [stop sticks or] a roadblock, and keep control until the pursuit is terminated. In the absence of adequate information from the primary or secondary unit, the [QSL] may order termination of the pursuit.

.32 As with any tactical field problem, it is necessary that the [QSL] be directly involved to begin coordination and assert control of the pursuit.

.33 [QSL] are to coordinate and assert control of the pursuit. Generally, [QSLs] should not involve their

vehicle in the actual pursuit.

.34 If [QSLs] initiate or become involved in the actual pursuit because they are personally confronted or when there is no secondary pursuing unit, they should only continue their position in the pursuit until other patrol units become available. At that time, [QSLs] should drop back and allow the other patrol units to take over the pursuit. The [QSLs] would then revert to their role of coordination and control.

.35 The [QSL] should go to the termination point to provide guidance and supervision when the pursuit ends.

Interjurisdictional Pursuits [41.1.2, i]
.36 The COMM will notify the entering county agency when the [pursuit] is likely to enter their county.

.37 If possible, the [pursuit] should be turned over to the other jurisdiction at the county line.

.38 The primary pursuit unit duties will be turned over to the entering agency jurisdiction and at no time will we keep up the primary pursuit when a [pursuit] is ten (10) miles or more outside our jurisdiction, without the approval of the DSC.

.39 On the authority of the DSC, a unit may continue as the secondary pursuit unit until another unit from the other jurisdiction can assume that role or until canceled by the DSC. One (1) unit may then continue to assist. However, this unit will not be

involved in the actual pursuit but will follow it and abide by all traffic rules. The role of assisting deputy will only be in cases where the original pursuit began in this county.

.40 Members shall not become involved in another agency's pursuit unless authorized by the DSC, or unless it is clearly shown that a unit from an outside agency is unable to request help, and does not have a backup, or the emergency nature of the situation dictates the need for assistance. In these instances all appropriate agency pursuit policies are in effect.

.41 The SJSO will not join in mixed agency pursuits, except the amount of time to coordinate transfer from one jurisdiction to the other. The ideal situation is that all vehicles involved in the pursuit are of the same agency at any given time.

Emergency Vehicle Operation and Tactics

[41.2.2, g]

.42 Offensive Tactics: During the pursuit, deliberate contact between vehicles or forcing the pursued vehicle into parked cars, ditches, or any other obstacle, boxing in, heading off, ramming, or driving alongside the pursued vehicle while it is in motion is prohibited, unless the DSC authorizes such actions.

- In the absence of the DSC, such action may be authorized by a QSL when the use of deadly force would be authorized.
- A pursuing vehicle shall not duplicate the reckless or hazardous driving maneuvers of the pursued vehicle.

.43 Caravanning: Field units not directly involved in the immediate pursuit shall not caravan.

.44 Passing: Members shall not pass other field units involved in the pursuit unless the passing member receives permission from the member being passed.

.45 Spacing: All units in pursuit, whether the vehicle in front of the unit is the suspect vehicle or another Law Enforcement Officer (LEO) vehicle, shall space themselves at a distance that will ensure proper braking and reaction time in the event the lead vehicle stops, slows, or turns.

.46 Number of Vehicles: No more than two (2) vehicles will become actively involved in a pursuit, unless directed by the QSL. Other members should be alert to the pursuit progress and location.

.47 Unmarked Vehicles: Members operating unmarked vehicles (provided the vehicle is equipped with emergency lights and siren) may engage in fresh pursuit only when the fleeing vehicle presents an immediate and direct threat to life or property. Whenever a marked vehicle becomes available to take over the pursuit, the unmarked vehicle will withdraw from active pursuit and serve in a support role. [41.2.2 d][61.1.6,c]

.48 Police Motorcycles: Members on police motorcycles may join in a fresh pursuit only until a marked patrol unit can assume pursuit.[41.2.2 d]

.49 Controlled Access Highways:

Members shall not pursue suspects the wrong way on the interstate or other controlled access highways or divided roadways unless authorized by the QSL.

Traffic Control Devices:

.50 Extreme caution must be used whenever members disregard traffic signs or signals, although statutes permit such conduct. Members shall use all available warning devices to alert other motorists and pedestrians.

.51 Aerial Assistance: Aerial assistance will be used if available. The air unit shall direct the movement of the primary unit and coordinate help of other ground units under the direction of the QSL.

.52 All Terrain Vehicles: SJSO all terrain vehicles shall NOT be used at any time in a pursuit.

Roadblocks [41.2.2, g]

.53 The DSC must authorize the use of roadblocks. Generally, a roadblock will be used only as a last resort.

.54 The use of a roadblock must be directly associated with the seriousness of the crime for which the suspect is wanted.

.55 The roadblock must be clearly visible and provide adequate warning to allow vehicles to come to a safe stop.

.56 The roadway shall not be completely blocked unless the use of deadly force would be authorized.

.57 See Policy 41.22 for roadblock

procedures.

Overtaking Pursuit of Violators

.58 The decision to overtake rests with the individual member. In arriving at this decision, all factors must be considered including the seriousness of the offense, the possible consequences and, most importantly, the safety of the public.

.59 During enforcement activities, specific incidents may escalate from routine overtaking situations to the suspect attempting to evade apprehension. If this occurs, applicable pursuit policies and procedures apply.

Abandonment of Pursuit [41.2.2, a & h]

.60 The decision to abandon pursuit may be the wisest course of action. Members must continually question whether the seriousness of the crime justifies continuing the pursuit.

.61 A pursuit shall be terminated under any of the following circumstances:

- If, in the opinion of the pursuing member, QSL, or the DSC, there is a clear and reasonable danger to the member, and other highway users or innocent citizens, created by the pursuit, which outweighs the need for immediate arrest.
- The suspect's identity has been established to the point that a later arrest can be accomplished, and there is no longer any need for immediate pursuit.
- The current traffic, roadway and environmental conditions suggest the futility of the pursuit.
- The pursued vehicle's location is

no longer known.

- The pursuing member learns, or is reasonably certain, that the fleeing vehicle is operated by a juvenile and the offense is a misdemeanor or a non-serious felony and the safety factors involved are obviously greater than a juvenile can cope.
- The pursuing member learns, or is reasonably certain, the reason for the pursuit is not a serious **felony** with no other extenuating circumstances.

Ending of Pursuit/Arrest [41.2.2 h]

.62 The following applies to felonies/misdemeanors that end in this county.

- The member will use only that amount of force needed to effect the arrest and achieve lawful objectives.
- The member may search the suspect and the immediate area that had been under the suspect's control incident to arrest.
- If the suspect enters a building, and the area and situation can be controlled, then a search warrant/arrest warrant shall be obtained. On misdemeanors, suspects will not be pursued into their homes.
- The member may enter the building without the approval of the **QSL**, if there are one or more of the following immediate, exigent circumstances: 1) Save a life, 2) Prevent injury, 3) Prevent serious property damage, 4) Prevent the destruction or removal of evidence.

.63 The **QSL** will be notified if a building has been entered.

Arrests in Other Jurisdictions: [41.2.2 i]

.64 The member may help LEOs in another jurisdiction, if the **pursuit** went that far, using only that amount of force to achieve lawful objectives.

- The member may help the arresting jurisdiction in a search of the suspect and the immediate area under the suspect's control.
- The suspect will be booked into the jail of that jurisdiction. The member will complete any paperwork required by the other jurisdiction. The member will turn in the proper SJSO items to his/her supervisor (SA-798S, incident report, etc.).

.65 If the pursuit ends in a jurisdiction not within the county and the member makes an arrest, he/she shall immediately notify the agency having jurisdiction. The suspect will be booked into the jail of that jurisdiction. The member will complete any paperwork required by the other jurisdiction. The member will complete all SJSO reports and turn those into their supervisor.

.66 COMM will send a Teletype to the agency in which the suspect is detained confirming/requesting a hold be placed on the suspect by the **QSL**'s authority.

.67 The suspect will appear before a judge in the other jurisdiction within twenty-four (24) hours.

.68 If there are no outstanding charges from that jurisdiction, the

suspect will be ordered returned to SJSO. A jail van will be sent to pick up the suspect.

.69 If the suspect has committed another offense in the detaining agency's jurisdiction, the SJSO, in coordination with the ASA, shall obtain a warrant on the suspect.

.70 Once the suspect has been released from the other jurisdiction's charges, he/she will be served the open warrant and extradited to SJSO. The jail van will be sent to pick up the suspect.

Documentation [41.2.2 j]

.71 Members will be held accountable for their methods of apprehending a suspect.

.72 Each pursuit will be critiqued by the following procedures listed below.

.73 The **QSL** will ensure that the following is accomplished:

- CAD screen print paperwork is reviewed.
- The pursuit review form is completed.
- Paperwork is forwarded to the SC for review and initials.

.74 These reports will be forwarded to the DD for his review.

.75 The purpose of the critique is to assess the member's performance and the Pursuit Policy.

.76 The Patrol Administrator will complete an annual analysis of fresh pursuits and submit the analysis to

the OPNS DD. [41.2.2 j][41.2.3]

General - Foot/Bicycle Pursuit

.77 All pursuits shall be conducted in accordance with statutes and policies and procedures of the SJSO.

[41.2.2 d]

.78 While there is always inherent danger in the duty and performance of a deputy sheriff, foot/bicycle pursuits present a special challenge.

.79 All deputy sheriffs involved in a foot/bicycle pursuit shall use their best judgement, training and officer safety skills.

.80 A deputy sheriff may engage in a foot/bicycle pursuit if the deputy reasonably believes that the suspect is committing, has committed, or has attempted to commit a criminal offense or a motor vehicle violation which permits the deputy to detain, arrest or otherwise take the suspect into custody.

.81 A deputy sheriff may engage in a foot/bicycle pursuit if the deputy reasonably believes that the suspect poses an immediate threat to the public, themselves or others.

.82 No deputy sheriff will engage in a foot/bicycle pursuit if the deputy believes the danger to himself/herself or the public outweighs the necessity for immediate apprehension of the suspect.

.83 Agency personnel will be held strictly accountable for the results of any actions displaying a reckless

disregard for the safety of the general public.

.84 Only deputy sheriffs will engage in a foot/bicycle pursuit. Non-certified appointees will **not** engage in a foot/bicycle pursuit.

Initiating / Primary Unit Responsibility

.85 The decision to engage in foot/bicycle pursuit rests with the individual deputy sheriff. The initiating deputy must determine the seriousness of the offense, and must also determine if the risk of their safety or the public's safety warrants a foot/bicycle pursuit.

.86 The pursuing deputy will first use loud verbal commands directed towards the fleeing suspect, in an attempt to gain voluntary compliance.

.87 The pursuing deputy will notify COMM with the following information, (to the extent possible):

- Reason/offense for the foot/bicycle pursuit
- Direction of travel
- Identity of the suspect (if known)
- Physical and clothing description of the suspect
- Any know weapons in the suspect's possession
- Number of fleeing suspects

.88 Failure to provide the above information may be cause for the QSL to terminate the foot/bicycle pursuit.

.89 The initiating deputy will immediately call for back up units, to assist and establish a perimeter.

.90 The initiating deputy will assist in setting up the perimeter.

.91 The initiating deputy may request through the QSL the assistance of CET, K-9 or Air Units, if they are available and warranted.

.92 The Pursuing Deputy **MUST** ensure his/her patrol vehicle is locked/secured prior to initiating the pursuit.

Back up Units

.93 Additional units called for back up will take positions as instructed by the initiating deputy or QSL.

No Pursuit or Pursuit Termination

.94 During situations involving multiple suspects, deputies will not engage in foot/bicycle pursuit of suspects, when one (1) or more suspects remain at the scene in a vehicle after a suspect has fled on foot from a vehicle.

.95 A deputy engaged in a foot/bicycle pursuit may terminate the pursuit without consequence if the deputy knows the identity of the suspect and a later apprehension is possible or the suspect does not pose an immediate threat to the deputy, other LE or the public. The deputy reasonably believes that the suspect is not about to commit a violent offense.

.96 A deputy will not engage in a foot/bicycle pursuit for a minor offense where there is no threat of violence to the deputy or the public.

.97 A deputy will not engage or continue in a foot/bicycle pursuit if the

deputy loses radio communications with COMM.

.98 A deputy will terminate the foot/bicycle pursuit if any unanticipated conditions/circumstances increase the risk of public safety inherent to the foot/bicycle pursuit.

.99 A deputy will not pursue suspects into a building/structure, whether occupied or vacant, without a back up unit to accompany him/her into the building / structure. EXCEPTION:

- Except to prevent imminent violence, injury or loss of life.

.100 A deputy will not pursue suspects into a wooded/isolated area without having a back up unit to accompany him/her into the area, EXCEPTION:

- Except to prevent imminent violence, injury or loss of life.

.101 A deputy will not pursue more than one (1) suspect without having at least one (1) back up unit to accompany him/her in the pursuit. EXCEPTION:

- Except to prevent imminent violence, injury or loss of life.

.102 A deputy will terminate the foot/bicycle pursuit if the deputy loses sight of the suspect or becomes unaware of the suspect's location.

.103 A deputy will not engage in a foot/bicycle pursuit or will terminate the foot/bicycle pursuit if the deputy loses his/her weapon or is disarmed.

Supervisor Responsibility

.104 QSL will quickly decide whether or not the foot/bicycle pursuit should continue based on the information provided by the initiating deputy, and whether the foot/bicycle pursuit follows the policies and procedures of the SJSO.

.105 QSL will stand down any or all perimeter units based on the need for their assistance or the apprehension of the suspect.

.106 QSL will coordinate requests for CET, K-9, or Air Units through COMM based on the seriousness of the crime and in accordance with policies and procedures of the SJSO.

.107 QSL will allow the foot/bicycle pursuit to continue if he/she has reasonable belief that an offense is being or has been committed that would allow LE to detain, arrest or otherwise take the suspect(s) into custody.

.108 QSL will allow the foot/bicycle pursuit to continue if the suspect has committed or is likely to commit a serious or violent offense if the suspect is not immediately apprehended.

.109 QSL will collect LE reports, affidavits, COMM notes, and tapes.

.110 QSL will complete a foot/bicycle pursuit review for compliance with SJSO policies and procedures.

COMM Responsibilities

.111 The COMM's role will be to maintain contact with the deputies

during the foot/bicycle pursuit.

.112 The COMM QSL will ensure the following is done during the foot/bicycle pursuit:

- All non-emergency radio traffic is cleared from the appropriate tactical radio channel.
- All incoming information of the foot/bicycle pursuit and the suspect(s) is recorded as received.
- Criminal records and warrant checks are done on the suspect if the identity is known.
- Notify all neighboring jurisdictions when there is a chance the pursuit may extend into their jurisdiction.
- Provide a copy of all COMM information and tapes to the QSL.

Sheriff Neil J Perry

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